

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE
Transcriber's Office

February 14, 2000 LB 1018

dealers, and the manufacturers, and it's my understanding that this amendment is agreeable to both of those interests. If you will look on page 12 of the bill at line 17, after the period, there was a question in this area about the language and whether or not this language in the bill would actually interfere with existing franchise agreements, and this...this amendment adds the words, after the period in line 17: a franchise agreement with a Nebraska licensed dealer which conforms to or is subject to these sections that govern franchise agreements, and this section is not control for purposes of this section. In other words, the manufacturer being in a franchise arrangement with a dealer could not be construed as control and prohibited by...by this bill. So that's a clarifying amendment. Then, on page 15, down in line 23, where it says the words "requires or allows delivery in Nebraska", it strikes those words and inserts "which does not take place in the state of Nebraska provides for". So it will read: if a transaction for the sale of a new motor vehicle which does not take place in the state of Nebraska provides for delivery in Nebraska, delivery shall be made through a licensed and bonded dealer. And that is, again, to provide the dealer an opportunity to be involved in the transaction but, more importantly, to give the consumer an opportunity to go somewhere with the problem, if they have a problem, and that's a lot of what this is about, is providing an opportunity for...for the buck to stop at a dealer if you have a problem and so you know where to turn. Those...those amendments, in my understanding, are agreeable to those parties that have, thus far, expressed an interest in this legislation. The third thing on this...on this amendment is on page 17, line 5, where it says "assigned to a franchisee", and "a" is stricken and we've inserted "an existing" franchisee. And so that, again, is a point of clarification. With that, I would yield to questions and look forward to further discussion. Thank you, Senator Cudaback.

SENATOR CUDABACK: Thank you, Senator Bromm. We are discussing adoption of the amendment, AM2348, to LB 1018. Those lights that are on are Senators Chambers, Kremer, and Dierks. Senator Chambers, you're recognized to speak.

SENATOR CHAMBERS: Mr. President, members of the Legislature, I think those who bring this bill know that we're going to be on